

1 you personally?

2 A. Personally myself.

3 Q. Did you or your company notify LFC
4 Agricultural Services that you had hired this
5 particular driver to take the bus to Virginia?

6 A. No.

7 Q. Did you or your company notify LFC
8 Enterprises, Inc., that this particular driver had
9 been hired to take the bus from South Carolina to
10 Virginia?

11 A. No.

12 Q. Did you or your company notify Kuzzens,
13 Inc., that this particular driver had been hired
14 to take the bus from South Carolina so Virginia?

15 A. No.

16 Q. Did you or your company provide any
17 information about this driver to LFC Enterprises
18 or LFC Agricultural Services or Kuzzens, Inc.?

19 A. No.

20 Q. Did LFC Enterprises or LFC Agricultural
21 Services or Kuzzens, Inc., have any involvement in
22 the hiring of this particular driver to transport
23 your bus from South Carolina to Virginia in 2011?

24 A. No.

25 Q. Who gave the driver instructions as to

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1 what the job was that he was being hired to do?

2 A. Myself.

3 Q. And who gave the driver permission to
4 operate the bus?

5 A. Myself.

6 Q. When he began driving the bus from South
7 Carolina, you mentioned that Tovar Guzman was also
8 on the bus with him, is that right?

9 A. Correct.

10 Q. Do you know if there was anybody else on
11 the bus with him?

12 A. No, sir, not that I know. Not when he
13 left.

14 Q. Did you learn before or after the
15 accident that happened that the driver you had
16 hired had left the bus?

17 A. No.

18 Q. But at some point, you learned that he
19 had left the bus, is that right?

20 A. After the accident, yes.

21 Q. After the accident?

22 A. Yes.

23 Q. And did you learn that from Tovar Guzman?

24 A. No. They just call me.

25 Q. Who called you?

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1 A. David Garcia called me and told me that
2 my bus had had an accident.

3 Q. Who was the one that told you that the
4 driver you had hired was not driving it at the
5 time of the accident?

6 A. When the cops was there, the guy -- Tovar
7 called me and told me that he was driving the bus,
8 and I told him not to drive the bus. He wasn't
9 allowed to drive the bus whatsoever.

10 Q. And just to be clear, your company and
11 you never hired Tovar Guzman to drive the bus,
12 correct?

13 A. No.

14 Q. Did you or your company hire Tovar Guzman
15 to drive the bus?

16 A. No.

17 Q. Did you or your company give Tovar Guzman
18 permission to drive the bus?

19 A. No.

20 Q. Did you know that he was driving the bus
21 before the accident?

22 A. No.

23 Q. You spoke to Tovar Guzman on the
24 telephone after the accident?

25 A. No.

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1 of them.

2 Q. I understand that. But after the season
3 is over, say, you're going back to Florida in
4 November or late October, what do you do with that
5 book?

6 A. We keep it, the 6-Ls keeps a record of
7 everything, Kuzzens.

8 MR. BOBBY GARCIA: Basically, that
9 notebook is pointless. It's just to keep records
10 to write down at the end of the day. When the
11 notebook is finished, it's gone. We start a new
12 notebook.

13 BY MR. BROGAN:

14 Q. So you don't keep that notebook?

15 A. No.

16 Q. The issue that we have here is that in
17 your first deposition, you said that Tovar Guzman
18 was working on Kuzzens farm harvesting tomatoes in
19 June of 2011, okay?

20 A. Um-hmm.

21 Q. Do you agree with that statement?

22 A. Yes.

23 Q. Do you agree that that statement is true
24 now?

25 A. Yes.



1 permit it. It's whether you know it's happened
2 before.

3 A. Yes.

4 BY MR. BROGAN:

5 Q. Yes, it has happened?

6 A. Yes.

7 Q. And that would explain how Tovar Guzman
8 was working for Kuzzens in June of 2011, on their
9 farm, and yet LFC Agricultural Services' records
10 do not necessarily show?

11 MR. HARMAN: And I would object to the
12 form of that; calls for speculation.

13 MR. CASEY: I join in the objection.

14 MR. BROGAN: I withdraw the question and
15 will use it for argument, but, thank you. And I
16 will move on.

17 BY MR. BROGAN:

18 Q. Now, before 2011, how long had you worked
19 with Tovar Guzman?

20 A. He worked for me for about two years.

21 Q. Two? He'd had been working for you since
22 2005, correct?

23 A. I don't remember.

24 Q. It was a long time he worked for you,
25 right?

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1 it needed to get there that next morning?

2 A. Right.

3 Q. And it was imperative -- it was important
4 for him to get there the next morning?

5 A. Right.

6 MR. BOBBY GARCIA: It wasn't really that
7 important to get there, but, yeah.

8 MR. BROGAN: It is his deposition.

9 BY MR. BROGAN:

10 Q. So can you swear here that when you wrote
11 in that notebook the names of the people who
12 worked June 2011, that Tovar Guzman's name was in
13 that notebook as someone who was working in the
14 field in 2011?

15 A. Yes.

16 Q. His name was in that notebook for June
17 2011, working in Kuzzens field in South Carolina?
18 Yes?

19 A. No, no, no.

20 Q. No, it was not?

21 A. No.

22 Q. Why was his name not in the notebook?

23 A. I don't remember why. I don't remember.

24 Q. I mean you said that if they worked in
25 the field, you kept that notebook --

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1 laborers for Kuzzens farm?

2 A. Yes.

3 Q. You employ them personally?

4 A. They come to us, yes. They give us their
5 ID. We get them registered. Take them to the
6 office. And everything is good, 6-Ls put them to
7 work, yes.

8 Q. You keep saying "6-Ls." Who is 6-Ls?

9 MR. BOBBY GARCIA: They have different
10 names of companies. We always known when we
11 started, it's 6-Ls.

12 MR. BROGAN: I will get it from him.

13 A. Now it's Lipman.

14 MR. HARMAN: Let me just say. He said
15 personally. I think it's the company, but he
16 personally for the company is the man making the
17 decision.

18 MR. BROGAN: I agree, yes.

19 BY MR. BROGAN:

20 Q. So you keep saying 6-Ls. 6-Ls is how
21 these various farms that now under the control of
22 what they call "Lipman" used to be known?

23 A. Yes.

24 Q. At some point in the last, I don't know,
25 few years, they changed from 6-Ls to Lipman,

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